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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/000,379 | 10/31/2001 | Lalit K. Mestha | D/A1097 XER 2 0437 | 9053 |

7590 11/03/2005

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| EXAMINER | |
|---|---|
| KOCH, GEORGE R | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 1734 | |

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/000,379 | MESTHA ET AL. | |
| | Examiner | Art Unit | |
| | George R. Koch III | 1734 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *08 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) *6-19* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) and/or 102(a) as being anticipated by Wolf (US 6,222,648)

Wolf discloses a method of processing transient errors (such as printer drift - see abstract) produced in a color measurement system monitoring a color producing process, comprising 1) implementing a model of the color producing process (see MAP1) 2) monitoring an input to the color producing process (the input - *RcGcBc* - from the document that occurs in MAP2 - see column 6, lines 18-21) 3) predicting an expected color signal based on the model and monitored input (the outputs of MAP1 and MAP2) 4) measuring an output color (via densitometer and spectrophotometer 70), produced by the color producing process to produce a measured color signal, 5) comparing the measured color signal to the expected color signal to produce a color error value (via MAPP 2 - comparison of document signal - *this would be the input signal RcGcBc* - with measured signal) and selectively replacing the measured color signal based on the color error (see column 4, lines 36-53). The output of MAP1 is turned into a densitometer signal which is fed into MAP2.

As to claim 2, Wolf discloses replacing the measured color signal with a predicted color signal based on the expected color signal (see column 4).

As to claim 3, Wolf discloses storing the modifications (see column 4, lines 43-45).

***Claim Rejections - 35 USC § 103***

3. Claims 4 and 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolf as applied to claims 1-3 above, and further in view of Balasubramanian-1996 (the second NPL IDS document) and Stokes (US Patent 5,612,902).

Wolf does not disclose the models used or historical data. However, one would appreciate that any well known model can be utilized.

Balasubramanian discloses that models can be used for modeling coloring process, and specifies a Neugebauer model as a well-known model that can be used. Stokes discloses various printer models that can function as approximations of a printer device. Stokes discloses that an empirical model can be used, i.e., an on-line statistical parameterized model, and discloses that this model is used to create customized compensation values (see column 2, lines 4-21). One in the art would appreciate that such a model would be built on a large number of measurements and would thus provide optimal accuracy, at a trade off which is increased complexity. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized such an empirical model in order to achieve optimal accuracy.

Stokes also discloses a Viggiano analytical model (described in column 5, line 14 to column 5, line 51), i.e., a multidimensional numerical model (see claim 1, especially in column 9, lines 3-8, which claim this model as a multidimensional lookup table, i.e., a multidimensional numerical model) and discloses that this model allows for faster modeling of the printer functioning (this model requires five sample steps). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized such model in order to achieve faster modeling of the printer function.

***Response to Arguments***

4. Applicant's arguments filed 8/8/2005 have been fully considered but they are not persuasive.

5. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that MAP2 cannot be both an expected color signal and a color error value, although the rejection is referring to the input and not the output of MAP2) are not recited or excluded in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. The rejection has been maintained, but clarified. It is noted that applicant argues that the signal from MAP1 does not go into MAP2. This is unpersuasive, as the signal result from MAP1 is converted into a densitometer signal which then fed into MAP2.

The presence of additional elements or steps along the way is not excluded by the claims.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George R. Koch III
Primary Examiner
Art Unit 1734

GRK
10/30/2005